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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,226	11/27/2001	Patrick P. Hicks	2070.004500/P6761	9652

7590

05/04/2004

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EXAMINER

ABRAMS, NEIL

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicant(s)	HICKS ETAL	
	Art Unit	2839	
	Application No.	09/995,226	
	Examiner	Neil Abrams	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3-10-2004
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-6, 8, 10, 11, 18-22, 26-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) _____ is/are rejected. 1, 2, 4-6, 8, 10, 11, 18-22, 26-37
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3-10-04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

For the page 13 amendment line 4 "430" seems incorrect.

Claim 33, line 2, is second connector correct. Claim 34 terms also questioned.
Intended limitations should be reviewed.

Claims 26-29, 33, 34, 36, 37 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The disclosure as filed lacks adequate details as to structure of the joiner module and just how it is to be used is not clearly disclosed.

Claims 36, 37 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The recited connection or relationship of guide module and joiner module is seen to constitute new matter since it does not find basis in the disclosure as filed. Nor is clear basis found in current spec and drawings.

The amendment filed March 10, 2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: new fig. 7.

Applicant is required to cancel the new matter in the reply to this Office Action.

In fig. 4, a module 425 and a sheet member 430 with an opening is shown. How this part 430 is to be used is not clear and is not disclosed. Added fig. 7 seems intended to show module 430 as a sheet member with two openings for fitting over guide module pins 426. This structure and use if that is what is intended, is considered to be new matter since original disclosure does not clearly teach such use of a sheet member with two openings. Note aligned openings in fig. 7 and non-alignment in fig. 4 at 425, 430.

Disclosure is further objected since even with new fig. 7, use and structure of part 430 is unclear. As shown it is not clear that fig. 7 parts at leadlines 425, 430 are intended to define a "single" sheet" with two openings. In fig. 7 they appear as two adjacent sheets each with one opening. If applicant is to assert entry of a fig. like fig. 7 to be proper, the part 430 should be shown as a distinct member like that of Provencher, fig. 1 at 118. This would provide clear disclosure of the joiner member 430 but the new matter rejection would remain in effect. Also applicant might submit a declaration as to just what was intended to be shown by the fig. 4 joiner feature".

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claims 26, 33 joiner modules functioning as recited must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The recited feature is not adequately shown and the added fig. is excluded as including new matter.

Claims 1, 2, 4-6, 8, 10, 11 and 18-22 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amberg in view of Broeksteeg, Provencher, HDM, and Weber.

See prior office actions.

Claims 18-22 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claims 1, 2, 4-6 above, and further in view of Masuda and Dent.

See prior office actions.

Claims 26-29 and 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broeksteeg in view of Chen '354, Weber, HDM, Masuda, Dent and Siwinsky.

See last office action.

For claims 26, 33, 34, term joiner module is broadly expressed and readable on any modules such as the wafers that electrically connect one connector to its mating connector in series.

The terms could also read on latches like those of Siwinsky at 36, 16 and Chen at 26 as discussed previously.

Claim 31 line 10¹¹ in parallel intended use recitation doe not overcome rejection.

Applicant's arguments filed with the amendment have been fully considered but they are not persuasive. See discussion in last office action.

As further example for claim 26, 31, Broeksteeg includes top and bottom supports 102, 102 parts 4 which even if thick are readable as wafers. It would have been obvious to omit some wafers 45 and to replace them with similarly shaped wafers but having power and guide means in view of those of Weber at E', G' and for claim 26 part 102 is read as both a top support and a joiner means as broadly set forth. For claim 33, obvious to replace one module 4 with one having latch means like that of Chen at 30 read as joiner means.

For claim 1, Amberg with Weber type wafers also seem to meet claim limitations.

For claims 6, 10, reference to board as system board etc adds no structure to overcome the prior art.

For claim 1, use of Broeksteeg type system for coplanar system is clearly suggested by Amberg and would involve forming both fig. 3 connectors as right angle connectors like those of Amberg. Use of power modules would even read on Broegsteeg as shown, since some contacts 72 would obviously be for power. Use of guide modules clearly suggested by Weber at G'.

To narrow issues claim 26, line 8, could be amended to read – ^ajoinder module _Λ wherein the joiner module couples said connector to a laterally adjacent second connector that also includes top and bottom supporting members with wafers coupled thereto --.

So amended, claim 26 would overcome prior art Chen type latch.


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Claim 31, with added limitation of power and guide modules being outside the enclosure formed by the top and bottom. ^{//} Supporting members ^{//} would overcome the rejection.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Neil Abrams at telephone number (571)272-2089.


NEIL ABRAMS
EXAMINER
ART UNIT 322